

**Carlos Hernández**  
Mayor

**Isis Garcia-Martinez**  
Council President

**Luis González**  
Council Vice President



Council Members  
**Jose F. Caragol**  
**Vivian Casáls-Muñoz**  
**Katharine E. Cue-Fuente**  
**Paul B. Hernández**  
**Lourdes Lozano**

## City Council Agenda September 22, 2015 7:00 P.M.

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Call to Order –

Roll Call-

Invocation given by Marbelys Fatjo, City Clerk

Pledge of Allegiance led by Councilwoman Vivian Casáls-Muñoz

### **Meeting Guidelines**

The following guidelines have been established by the City Council:

➤ **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

Presentations –

- Mayor Hernandez proclaims the month of September 2015 as National Childhood Obesity Month. (EDUCATION AND COMMUNITY SERVICES DEPT.)
- Mayor Hernandez proclaims the month of September 2015 as Literacy Awareness Month. (EDUCATION AND COMMUNITY SERVICES DEPT.)

- Mayor Hernandez and Councilwoman Lozano present a Certificate of Appreciation to Ivan A. Echemendia in recognition for volunteering at the Little Havana Activities Center lunch program at Goodlet Park. (COUNCILWOMAN LOZANO)

1. Announcement of Amendments/Corrections to the Agenda –

- **Item M has been corrected to reflect the award year as 2014.**

2. Consent Agenda-

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

- A. Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on September 8, 2015 (OFFICE OF THE CITY CLERK)
- B. Request from ABC Promotions Unlimited, Inc., for a Christmas Tree Sales Permit, to benefit the Hialeah Concerned Families, from November 1, 2015 through January 6, 2016 which includes set-up and take down time, to be located at 1460 West 49 Street in front of the K-mart store. Sales will commence on November 13, 2015 and end on December 31, 2015. (OFFICE OF THE CITY CLERK)
- C. Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order # 2015-356, issued to Graybar Electric Company, Inc., to purchase electrical supplies and materials, by an additional amount of \$5,000, for a new total cumulative amount not to exceed \$20,000. (CONSTRUCTION AND MAINTENANCE DEPT.)
- D. Request permission to make required payments to various vendors, for services and utilities, including utilities of telephones and electric, purchase of water, sewage disposal, solid waste dumping fees, postage and insurance, in a total cumulative amount not to exceed \$60,902,722. (OFFICE OF MANAGEMENT AND BUDGET)
- E. Request permission to issue a purchase order to Sirsi Corporation, sole source vendor, for the maintenance and support of the City's web-based library system from SirsiDynix, in a total cumulative amount not to exceed \$32,601.28. (LIBRARY DIV.)
- F. Proposed resolution approving the Annual Plan of Service for the Library Division for fiscal year 2015-2016 and Long Range Plan for years 2015-2018 for submittal to the State Library for the State of Florida in order to maintain eligibility as a recipient of state and federal funds. (LIBRARY DIV.)
- G. Proposed resolution authorizing the application for, and the acceptance of, a State Aid to Libraries Operating Grant from the Florida Department of State, Division of Library and Information Services, for the fiscal year 2015-2016, in an amount based on the City Library's operating expenses for fiscal year 2013-2014 and further authorizing the Mayor and the City

Clerk, as attesting witness, on behalf of the City, to enter into a State Aid to Libraries Grant Agreement in furtherance thereof. (LIBRARY DIV.)

- H.** Request permission to waive competitive bidding, since it is advantageous to the City, and enter into an agreement with Claudia Santana, a licensed Zumba fitness instructor, to provide Zumba fitness classes through a fitness program at City owned recreation centers at specified parks open to its residents and the public at large, for a period of six (6) months beginning on September 23, 2015 and ending on February 23, 2016, with a renewal option for an additional term of six (6) months, with the City compensating Ms. Santana on a percentage basis each month in arrears in the amount of sixty percent (60%) of the total amount of base fee paid by the participants. (PARKS AND RECREATION DEPT.)
- I.** Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order # 2015-211, issued to VCA Animal Hospitals, Inc., for health related vaccines, necessary licensing for each animal from Metro Dade County, dental care plan, kenneling, and maintain the physical health of the Hialeah Police Department's K-9 dogs, by an additional amount of \$4,000, for a new total cumulative amount not to exceed \$18,900. (POLICE DEPT.)
- J.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Rainbow Window Tinting, Inc., to outfit eight (8) Chevrolet Impalas recently purchased by the Hialeah Police Department with the necessary police emergency equipment and accessories such as lights, sirens and microphones, for a cost of \$6,615.76 per vehicle, in a total cumulative amount not to exceed \$52,926.08. (POLICE DEPT.)
- K.** Request permission to utilize State of Florida Contract # 618-000-11-1, and issue a purchase order to Office Depot, Inc., to purchase office supplies for fiscal year 2015-2016, in a total cumulative amount not to exceed \$175,000, to be allocated through various City departments. (PURCHASING DIV.)
- L.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Home Depot U.S.A., Inc., to purchase operational supplies as needed, in a total amount of \$100,000, to be allocated through various City departments. (PURCHASING DIV.)
- M.** Request permission to extend the contract with East Continental Supplies, LLC, for a period of one (1) year commencing on October 1, 2015 through September 30, 2016, with an option to renew for an additional one (1) year period, to purchase janitorial supplies to be allocated through various City departments, in a total cumulative amount not to exceed \$150,000. This vendor, lowest responsive bidder, was awarded Hialeah Bid # 2014/15-8500-12-008-Janitorial Supplies on November 13, 2014 by the City Council, with the option to renew for two (2) additional twelve (12) month renewal periods. (PURCHASING DIV.)
- N.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain existing prices being paid by the City for this service, and issue a purchase order to Distreebutors, Inc., vendor providing the lowest estimate, for landscaping services for fiscal year 2015-2016, in a total cumulative amount not to exceed \$48,000. (STREETS DEPT.)

- O.** Request permission to waive competitive bidding, since it advantageous to the City, and issue a purchase order to Horizon Contractors, Inc., vendor providing the lowest estimate, for drainage installation throughout the City for fiscal year 2015-2016, in a total cumulative amount not to exceed \$168,187.50. (STREETS DEPT.)
- P.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Horizon Contractors, Inc., vendor providing the lowest estimate, for area sidewalk restoration from West 4<sup>th</sup> Avenue to West 8<sup>th</sup> Avenue from West 37<sup>th</sup> Street to West 40<sup>th</sup> Place for fiscal year 2015-2016, in a total cumulative amount not to exceed \$80,049.20. (STREETS DEPT.)
- Q.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Horizon Contractors, Inc., vendor providing the lowest estimate, for area sidewalk restoration from West 4<sup>th</sup> Avenue to West 8<sup>th</sup> Avenue from West 33<sup>rd</sup> Street to West 37<sup>th</sup> Street for fiscal year 2015-2016, in a total cumulative amount not to exceed \$56,317.80. (STREETS DEPT.)
- R.** Request from Santa Barbara Catholic Church, 6801 West 30<sup>th</sup> Avenue, Hialeah, Florida, for a permit to host a carnival on church grounds from Friday, November 27, 2015 through Sunday, November 29, 2015 and Thursday, December 3, 2015 through Sunday, December 6, 2015, subject to recommendations from the Police and Fire Departments. (OFFICE OF THE CITY CLERK)
- S.** Request permission to issue a purchase order to Zoll Medical Corporation, sole source vendor, since it is advantageous to the City, to purchase Auto-Pulse equipment (Automatic CPR machine), as well as for the service of its repair and maintenance for fiscal year 2015-2016, in a total cumulative amount not to exceed \$22,800.74. (FIRE DEPT.)
- T.** Request permission to issue a purchase order to Zoll Medical Corporation, sole source vendor, since it is advantageous to the City, to purchase medical supplies and equipment for fiscal year 2015-2016, in a total cumulative amount not to exceed \$20,000. (FIRE DEPT.)
- U.** Request permission to issue a purchase order to Imagetrend, Inc., sole source vendor, since it is advantageous to the City, pursuant to a Software Licensing Agreement between the City and this vendor made effective on January 6, 2015, to pay for costs for Electronic Patient Care Reporting (ePCR) in fiscal year 2015-2016, in a total cumulative amount not to exceed \$84,150. This is the second year of a three year contract approved by the City Council on December 9, 2014. (FIRE DEPT.)
- V.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Anro Enterprises, Inc., for the service of uniform laundering and dry cleaning services for fiscal year 2015-2016, in a total cumulative amount not to exceed \$30,000. (FIRE DEPT.)
- W.** Request permission to utilize Minnesota Multi-State Contracting Alliance for Pharmacy (Contract # MMS24001), a competitively bid governmental contract, and issue a purchase order to Cardinal Contractors, Inc., to purchase pharmaceuticals, vaccines and medical supplies for fiscal year 2015-2016, in a total cumulative amount not to exceed \$55,000. (FIRE DEPT.)

- X.** Request permission to issue a purchase order to Insight Public Sector, Inc., since it is advantageous to the City, for costs to be paid in association with the service and maintenance of the twenty-eight (28) Panasonic CF-19 Toughbook computers purchased in 2012, commencing on October 1, 2015 and ending on September 30, 2017, in a total cumulative amount not to exceed \$15,975.40. (FIRE DEPT.)
- Y.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to K & G Associates, Inc. d/b/a TradeMaster, Inc., for the Mobile Eyes Annual Software maintenance fee, commencing on October 1, 2015 and ending on September 30, 2016, in a total cumulative amount not to exceed \$19,642. (FIRE DEPT.)
- Z.** Request permission to waive competitive bidding, since it is advantageous to the City in that the City is presently using the services of this vendor and does not desire to interrupt the service during this year, and increase purchase order # 2015-101, issued to Jorge Luis Leon Car Wash, Inc., for the service of washing City vehicles and buses sited at 900 East 56<sup>th</sup> Street, Hialeah, Florida, by an additional amount of \$5,000, for a new total cumulative amount not to exceed \$20,000. (FLEET MAINTENANCE DEPT.)
- AA.** Request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid # 14-22-0904, Mid Size 4-Door Utility Vehicles – 4X2 Specification #25, a competitively bid governmental contract, and issue a purchase order to Don Reid Ford, Inc., to purchase one (1) 2015 Ford Explorer (K7B), in a total cumulative amount not to exceed \$24,500. (FLEET MAINTENANCE DEPT.)
- BB.** Request permission to waive competitive bidding, since it is advantageous to the City, and increase purchase order # 2015-193, issued to Milans Machine Shop & Welding, Inc., for metal fabricating on City vehicles and equipment, by an additional amount of \$5,000, for a new total cumulative amount not to exceed \$20,000. (FLEET MAINTENANCE DEPT.)
- CC.** Request permission to make payment to Hialeah Housing Authority for the Senior Citizens Activities for fiscal year 2015-2016, in a total amount not to exceed \$35,000. Further, request permission to make payment to the Hialeah Housing Authority, for the Hot Lunch Program for fiscal year 2015-2016, in a total amount not to exceed \$135,000. (OFFICE OF MANAGEMENT AND BUDGET)
- DD.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to honor the same prices from Request for Qualifications # 2011/12-3210-12-010, and issue a purchase order to Super Landscape & Maintenance, Inc., and extend the existing contract for landscaping services for one (1) year commencing on October 1, 2015 and ending on September 30, 2016, in a total cumulative amount not to exceed \$300,000. Request for Qualifications # 2011/12-3210-12-010 was awarded to this vendor by the City Council on September 25, 2012 for one (1) year with two additional one year renewals which ended in fiscal year 2015. (PARKS AND RECREATION DEPT.)
- EE.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has provided the City with excellent service, the vendor's staff has knowledge of the various City facilities, and the vendor has agreed to honor the rate paid by the City for the last service year, and issue a purchase order to Action Cleaning Services AP Corp, for City

Janitorial Services from October 1, 2015 through September 30, 2016, in a total cumulative amount not to exceed \$363,289.80. (PURCHASING DIV.)

- FF.** Request permission to issue a purchase order to The Corradino Group, a vendor approved by the City's Selection Committee in 2010 for engineering services, for the design of roadway improvements to West 31<sup>st</sup> and 32<sup>nd</sup> Street from West 8<sup>th</sup> Avenue to West 12<sup>th</sup> Avenue, as well as West 9<sup>th</sup> Avenue and West 11<sup>th</sup> Avenue from West 30<sup>th</sup> Street to West 33<sup>rd</sup> Street, in a total cumulative amount not to exceed \$192,270. (STREETS DEPT.)
- GG.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the same unit prices from Hialeah Bid # 2011/12-3210-12-010-Grounds Maintenance, and issue a purchase order to General Mow, LLC, for the Right of Way Maintenance of Sector 1 for a fiscal year 2015-2016, in a total cumulative amount not to exceed \$54,240. (STREETS DEPT.)
- HH.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the same unit prices from Hialeah Bid # 2011/12-3210-12-010-Grounds Maintenance, and issue a purchase order to General Mow, LLC, for the Right of Way Maintenance of Sector 2 for a fiscal year 2015-2016, in a total cumulative amount not to exceed \$79,000. (STREETS DEPT.)
- II.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the same unit prices from Hialeah Bid # 2011/12-3210-12-010-Grounds Maintenance, and issue a purchase order to Visualscape, Inc., for the Right of Way Maintenance of Sector 3 for a fiscal year 2015-2016, in a total cumulative amount not to exceed \$83,998. (STREETS DEPT.)
- JJ.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the same unit prices from Hialeah Bid # 2011/12-3210-12-010-Grounds Maintenance, and issue a purchase order to Visualscape, Inc., for the Right of Way Maintenance of Sector 4 for a fiscal year 2015-2016, in a total cumulative amount not to exceed \$114,900. (STREETS DEPT.)
- KK.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor has agreed to maintain the same unit prices from Hialeah Bid # 2011/12-3210-12-010-Grounds Maintenance, and issue a purchase order to Mystic Gardens Lawn Contractors Inc., for the Right of Way Maintenance of Sector 5 for fiscal year 2015-2016, in a total cumulative amount not to exceed \$66,590. (STREETS DEPT.)
- LL.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Metro Express, Inc., vendor providing the lowest estimate, for curbing at West 56<sup>th</sup> Street from West 18<sup>th</sup> Avenue to 20<sup>th</sup> Avenue for fiscal year 2015-2016, in a total cumulative amount not to exceed \$41,580. (STREETS DEPT.)
- MM.** Proposed resolution authorizing the Mayor and the City Clerk on behalf of the City, to enter into a Mutual Aid Agreement with Florida City, Florida, as a participating municipal police department, for the purpose of coordinating law enforcement planning, operations, and mutual

aid benefit between the City of Hialeah and Florida City, Florida from the effective date of the agreement through September 30, 2020, attached hereto as Exhibit “A”. (POLICE DEPT.)

- NN.** Request permission to issue a purchase order to Medical Priority Consultants, Inc. d/b/a Priority Dispatch Corporation, sole source vendor, for the license and service agreement maintenance for the Public Safety Priority Dispatch Systems through September 30, 2016, in a total cumulative amount not to exceed \$16,384. (FIRE DEPT.)
  - OO.** Request permission to issue a purchase order to Inphynet Contracting Services, Inc., for costs to be paid in association with outstanding invoices for the remaining 2015 fiscal year and upcoming 2016 fiscal year invoices for professional services from Frederick Michael Keroff, M.D., FACEP, as Medical Director of Hialeah Fire Department and advanced life support provider, for the second year of a three year contract approved by the City Council on November 13, 2014, in a total cumulative amount not to exceed \$60,000. (FIRE DEPT.)
  - PP.** Request permission to waive competitive bidding, since it is advantageous to the City, and enter into a Special Service Arrangement Agreement with Bellsouth Communication Systems, LLC d/b/a AT&T Florida, for the E911 Public Safety Answering Point equipment, software, and maintenance for the Backup 911 Center, for a period of five years, with a monthly cost of \$6,501.99, for a total cumulative cost of \$390,119.40. (INFORMATION TECHNOLOGY DEPT.)
- 3. Board Appointments –
  - 4. Unfinished Business –
  - 5. New Business –
  - 6. Comments and Questions –

**Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.**

**Attention Applicants: Items approved by the City Council are subject to the Mayor’s approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor’s signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.**

### **ZONING**

- PZ 1.** Second reading and public hearing of proposed ordinance granting a Variance Permit to allow a Pylon LED Sign on property zoned C-2 (Liberal Retail Commercial District) outside the geographic area where LED Signs are permitted, with a height of 35 feet, where a maximum of 20 feet is allowed, a sign area of 240 square feet, where a maximum of 120 square feet is required; contra to Hialeah Code §§ 74-149(b), 74-149(g)(2)(b), 74-149(g)(2)(c). **Property located at 5301 West 20 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Ceasar Mestre Jr., Esq.*)

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| <i>Item was postponed by the City Council on September 8, 2015 due to pending changes to the proposed ordinance.</i> |
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| <i>Item was approved by the City Council on first reading on August 25, 2015.</i> |
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| <i>Item was approved by the Planning and Zoning Board on August 12, 2015.</i> |
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| <i>Registered Lobbyist: Ceasar Mestre</i> |
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- PZ 2. First reading of proposed ordinance granting a Variance Permit to allow an existing rear setback of 18.8 feet, where 20 feet are required, contra to Hialeah Code § 98-502. **Property located at 1750 West 62 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Lazaro Espinosa and Haydee Santos*)

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| <i>Item was postponed on September 8, 2015 because the applicant was not present.</i> |
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| <i>Item was approved by the Planning and Zoning Board on August 26, 2015.</i> |
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- PZ 3. First reading of proposed ordinance repealing and rescinding Hialeah, Fla., Ordinance 08-68 (August 25, 2008) which granted a Special Use Permit (SUP) to extend the Neighborhood Business District Overlay (NBD) Regulations; and granting a Variance Permit to allow 15 parking spaces, consisting of 10 off-street parking spaces and 5 on-street parking spaces, where a total of 25 parking spaces are required, contra to Hialeah Code § 98-2189 (22) on **property located at 157 West 5 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Joseph G. Goldstein, Esq. on behalf of Manhattan Construction Investment Inc., OVI Investments, Inc., and Canaiman Investments, Inc.*)

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| <i>Item was approved by the Planning and Zoning Board on September 9, 2015.</i> |
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| <i>Registered Lobbyist: Joseph G. Goldstein, Esq.</i> |
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### **CITY INITIATED LAND USE AMENDMENTS**

- LU 1. Proposed resolution approving the transmittal of text amendments to the Hialeah, Fla., Comprehensive Plan (2003-2015) through the expedited state review process by the Florida Department of Economic Opportunity or as otherwise provided in Section 163.3184, Florida Statutes, to include a new Health Element; and further expressing its intent to adopt said text amendments subject to comments by the Florida Department of Economic Opportunity; and providing for an effective date.

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| <i>Item was approved by the Planning and Zoning Board on August 12, 2015.</i> |
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- LU 2. First reading of proposed ordinance adopting the Evaluation and Appraisal Report-Based Text Amendments to the Hialeah, Fla., Comprehensive Plan 2003-2015 and in particular, revising the text of the Future Land Use Element, Transportation Element, Housing Element, Sanitary Sewer Element, Potable Water Element, Solid Waste Element, Aquifer Element, Conservation Element, Recreation and Open Space Element, Intergovernmental Coordination Element, and Capital Improvements Element; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

**NEXT CITY COUNCIL MEETING: Tuesday, October 13, 2015 at 7:00 P.M.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, November 10, 2015 at 6:30 p.m.**

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).